IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 6544 of 1999

Hon'ble MR.JUSTICE Y.B.BHATT

and

Hon'ble MR.JUSTICE H.H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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GSRTC

Versus

JASODABEN VITHALBHAI RANA

Appearance:

MR HARDIK C RAWAL for Appellant

MR MTM HAKIM for Respondent No. 1-4

CORAM : MR.JUSTICE Y.B.BHATT

and

MR.JUSTICE H.H.MEHTA

Date of decision: 05/09/2001

ORAL JUDGEMENT

(Per : MR.JUSTICE Y.B.BHATT)

1. Heard the learned counsel for the respective parties. Appeal admitted. Mr. MTM Hakim appears for respondent nos.1 to 4-original claimants and waives service of the notice in appeal.

2. On a joint request of learned counsel for the parties, this appeal is taken up for final hearing today.

3. We have heard the learned counsel for the parties on the merits of the appeal and on the grounds raised and urged in the said appeal. We have also perused the impugned judgement and award and have also examined such evidentiary material on record to which our attention has been drawn.

4. As a result of the hearing and discussion, learned counsel for the respective parties state that the Court may determine the fair and just compensation which should be awarded to the original claimants, in consonance with the evidentiary material on record, without the necessity of giving reasons.

4. In the aforesaid circumstances, we have applied our mind to the facts of the case and to the evidentiary material on record. As a result of this exercise, in the light of the evidentiary material on record, we are of the opinion that the interests of justice will be served by holding that the fair and reasonable amount of compensation awardable to the claimants should be the aggregate sum of Rs.2,70,000/-. Accordingly it is so held and directed. The respondent nos.1-4-original claimants shall be entitled to an aggregate amount of compensation in the sum of Rs.2,70,000/-. The impugned judgement and award are modified only to the aforesaid extent, while the rest of the award stands confirmed.

5. This appeal is, therefore, partly allowed with no order as to costs. Decree accordingly.

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